IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

WRIT PETITION NO. 2921 OF 2004

Ramchandra V. Jadhav and anr. ... Petitioners

Versus

Tata Memorial Hospital and anr. ... Respondents

Mr. I.A. Sayed with Mr. R.L. Chalke for Petitioners.

Mr.S.K. Talsania, Sr. Counsel with Mr. Utam, i/by Mulla & Mulla & C.B. & Craige for R. No. 1.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD,JJ.
DATED : FEBRUARY 28, 2006

P.C.

. The Petiltioners sought appointment on compassionate basis. On behalf of the respondents, the learned counsel points out the Order dated 29.1.2004 passed by the Industrial Court, Mumbai in Condonation of Delay Application (ULP) No. 55 of 2003 wherein it has been set out that the applicant’s wife Smt. Ujwala R. Jadhav is working as an ‘Aaya’ in the respondent hospital and Petitioner’s elder son Rupesh R. Jadhav is also working as ward boy in the hospital and also earning salary. The very basis of compassionate

appointment is that the family is in such dire financial status either on account of the death or retirement on account of medical unfitness of the earning member and that they are not in a position to maintain themselves. This is not the case in the instant case.

. Considering the above, it will not be possible for this court to issue any direction to respondents. No case made out for exercise of our extra ordinary jurisdiction. Hence, petition rejected.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)